

PD-0788-20

ENRIQUE ANGEL RAMOS

v.

THE STATE OF TEXAS

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IN THE COURT

OF CRIMINAL APPEALS

STATE OF TEXAS

FILED
 COURT OF CRIMINAL APPEALS
 1/25/2021
 DEANA WILLIAMSON, CLERK

**APPELLANT'S SECOND MOTION FOR EXTENSION OF TIME
 TO FILE BRIEF ON THE MERITS**

COMES NOW Appellant Enrique Angel Ramos, by and through his newly appointed attorney Victoria Guerra, and files this second motion for extension of time to file Appellant's brief on the merits and in support thereof, would show this Court the following:

Appellant's brief on the merits was due on January 22, 2020. This is the second motion for extension of time that Appellant has filed. Appellant seeks a 60-day extension, which if granted, would make Appellant's brief on the merits due on March 23, 2021.

The Undersigned has not been able to complete this brief on the merits for the following reasons:

1. The Undersigned had due on January 15, 2021, response to the Board of Nursing in a disciplinary action brought against A.G. The records consist of almost 2000 pages and much time is going into preparing for said

- response. Additional records were requested placing the deadline in abeyance after much time already went into this project.
2. The Undersigned has due on January 22, 2021 in the Court of Criminal Appeals, Appellant's brief on the merits in response to the State's PDR in the case of *State v. Enrique Angel Ramos*, cause number PD-0788-20, which is the present case. The Undersigned is newly appointed and is having to read the entire record for this response.
 3. The Undersigned is scheduled to speak at the Hidalgo County Bill of Rights: HCBA Criminal Law Conference on January 28 and 29, 2021 and much time is going into preparation for said presentation.
 4. The Undersigned has due to be filed in the Court of Criminal Appeals on January 27, 2021, a PDR in the case of *State v. Jacobo Santiago Martinez*, cause number PD-1112-20.
 5. The Undersigned had due in the Court of Criminal Appeals on January 13, 2021, a PDR in the case of *State v. Juan Eligio Adames*, PD cause number not yet assigned. A motion for extension of time was granted and is now due on February 19, 2021.
 6. The Undersigned felt under the weather for non-covid reasons (head and chest infection) from January 8, 2021 to the present. A residual constant cough continues, thereby making her susceptible to go out in public.

7. The backdrop of these multiple deadlines is the pandemic from which four (4) members of the Undersigned's family have died in the last six (6) months and four other relatives have died from non-Covid reasons in the last six months, the most recent being on November 30, 2020.

For the foregoing reasons, the Undersigned is seeking at least a 60-day extension to file Appellant's brief on the merits. If granted, the new deadline be April 6, 2021.

WHEREFORE, Appellant prays that this Court grant an extension of time to file his brief on the merits to March 23, 2021.

Respectfully submitted,

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By: /s/ Victoria Guerra
Victoria Guerra
State Bar No. 08578900
Attorney for Appellant

CERTIFICATE OF SERVICE

On this 22nd day of January 2021, the foregoing motion for extension of time to file Appellant's brief on the merits was to State Prosecuting Attorney John R. Messinger to his email address: information@spa.texas.gov and to Hidalgo Assistant Criminal District Attorney Luis Gonzalez to his email address: appeals@da.co.hidalgo.tx.us via the ECF filing system.

/s/ Victoria Guerra
Victoria Guerra

CERTIFICATE OF COMPLIANCE

In compliance with TRAP 9.4(i)(3), the undersigned certifies that the number of words in this motion, excluding those matters listed in Rule 9.4(i)(1), is 432.

SIGNED this 22nd day of January 2021.

/s/ Victoria Guerra
Victoria Guerra

Automated Certificate of eService

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Status as of 1/25/2021 9:04 AM CST

Associated Case Party: State Prosecuting Attorney

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State Prosecuting Attorney Texas		information@spa.texas.gov	1/22/2021 11:16:40 PM	SENT

Associated Case Party: EnriqueAngelRamos

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Case Contacts

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Allegra Hill		Allegra@brandyvossllaw.com	1/22/2021 11:16:40 PM	SENT